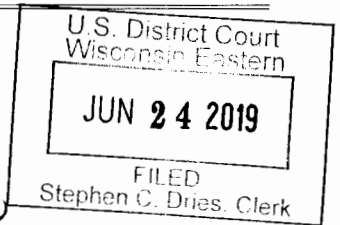


# UNITED STATES DISTRICT COURT

for the  
EASTERN DISTRICT OF WISCONSIN



*In the Matter of the Search of*

Case Number: 19mc98

A USPS Priority Mail parcel with tracking number 9505 5107 2101 9169 7139 83 addressed to "Judith Silverberg, W5156 Hill Road, Neillsville, WI 54456" with a return address of "LH Trading, 329 W. Harvard Pl, Lakewood, CO 80227."

## APPLICATION & AFFIDAVIT FOR SEARCH WARRANT

I, Matt Schmitz, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Priority Mail parcel with tracking number 9505 5107 2101 9169 7139 83 addressed to "Judith Silverberg, W5156 Hill Road, Neillsville, WI 54456" with a return address of "LH Trading, 329 W. Harvard Pl, Lakewood, CO 80227."

currently located in the Eastern District of Wisconsin there is now concealed: **Please see attached affidavit, which is hereby incorporated by reference.**

The basis for the search warrant under Fed. R. Crim. P. 41(c) is which is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 841(a)(1) and 843(b).

The application is based on these facts:

- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date June 24, 2019

City and state: Green Bay, Wisconsin

Applicant's signature  
Name and Title: Matt Schmitz, U.S. Postal Inspector

Judge's signature  
THE HONORABLE JAMES R. SICKEL  
United States Magistrate Judge  
Name & Title of Judicial Officer

## AFFIDAVIT

Matt Schmitz, United States Postal Inspector, being duly sworn, states the following information was developed from his personal knowledge and from information furnished to him by other law enforcement agents and professional contacts:

### I. INTRODUCTION

1. I have been employed by the United States Postal Inspection Service for approximately 15 years and was previously employed as a Police Officer with the City of Middleton (WI) and City of Janesville (WI) Police Departments for a total of six years. As part of my duties as a Postal Inspector, I investigate the use of the U. S. Mails to illegally send and receive controlled substances and drug trafficking instrumentalities. I have participated in investigations which have resulted in the arrest of individuals who have received and distributed controlled substances using the U.S. Mail, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs. My training and experience includes identifying packages with characteristics indicative of criminal activity, namely, the distribution of controlled substances.

### II. PARCEL TO BE SEARCHED

2. This affidavit is submitted in support of an application for a search warrant for an 12 inch by 3.5 inch by 14.125 inch Priority Mail parcel with tracking number 9505 5107 2101 9169 7139 83, mailed on June 18, 2019, from Denver, CO zip code 80209-9998. This parcel bears handwritten addressee and return address information. The parcel is addressed to "Judith Silverberg, W5156 Hill Road, Neillsville, WI 54456" and bears a return address of "LH Trading, 329 W. Harvard Pl, Lakewood, CO 80227." The parcel weighs approximately 1 pound, 9.7 ounces, displays postage in the amount of \$14.35, and is hereinafter referred to as "SUBJECT PARCEL."

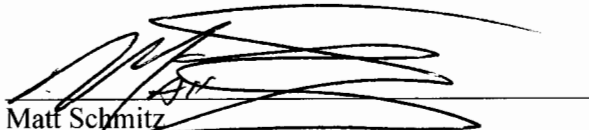
### III. INVESTIGATION

3. In June, 2019, the Neillsville, WI Post Office told me an unknown person contacted their post office to report that Judith Silverberg was receiving marijuana via the US Mail from Colorado. This unknown caller reported Silverberg was receiving the packages of marijuana via general delivery at the Neillsville, WI Post Office. Post Office staff told me Judith Silverberg was a name that had been receiving mail via general delivery at the

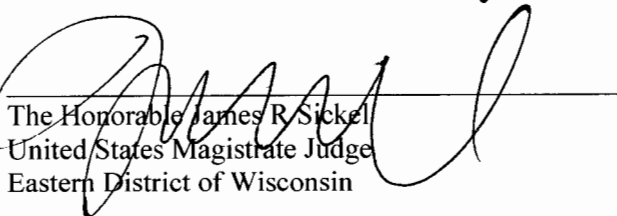
Neillsville, WI Post Office but forwarded her mailed on May 29, 2019, to W5156 Hill Rd, Neillsville, WI 54456. I directed the Neillsville Post Office to notify me if they received any parcels mailed from Colorado that were addressed to Judith Silverberg.

4. On June 20, 2019, the Neillsville Post Office told me they received a Priority Mail parcel that had been mailed from Colorado and was addressed to Judith Silverberg at W5156 Hill Rd, Neillsville, WI 54456. The Post Office told me the return address on the parcel was "LH Trading, 329 W. Harvard Pl, Lakewood, CO 80227." I queried the CLEAR law enforcement search engine for information on any businesses associated with 329 W Harvard Pl., Lakewood, CO, and learned no known business was associated with this address. I have learned through my training and investigative experience that individuals mailing controlled substance commonly use a fictitious name and/or return address in an attempt to avoid identification as the source of the controlled substances.
5. On June 21, 2019, Wisconsin State Patrol Trooper and K-9 Handler Alex Trofin agreed to assist in presenting the SUBJECT PARCEL to a dog sniff. Trooper Trofin is a trained handler of a certified drug detection dog named "Cirrus." Trooper Trofin explained that Cirrus is trained in detecting the presence of marijuana, cocaine, heroin, and methamphetamine, and was last certified in detecting controlled substances in May of 2019. Consistent with Trooper Trofin's training, experience, and direction, I placed the SUBJECT PARCEL next to desk at the Wisconsin State Patrol highway scale office building on US Highway 41 in Abrams, WI. The office in which the SUBJECT PARCEL was placed contained numerous items of office equipment. Cirrus examined the office and Trooper Trofin said Cirrus alerted to the odor of controlled substances in a box next to a desk. I identified the box Trooper Trofin was referring to as the SUBJECT PARCEL. Cirrus did not alert to the odor of controlled substances in any other area of the office. Following the dog sniff I retained custody of the SUBJECT PARCEL and currently have it secured at the U.S. Postal Inspection Service office in Oneida, WI, in the Eastern District of Wisconsin.

6. Postal Regulation Sec. 274.31 of the United States Postal Service Administrative Support Manual states that no one may detain mail sealed against inspection, except under the following condition: A Postal Inspector acting diligently and without avoidable delay, upon reasonable suspicion, for a brief period of time, to assemble evidence sufficient to satisfy the probable cause requirement for a search warrant issued by a Federal Court.
7. For these reasons, there is probable cause to believe the SUBJECT PARCEL contains controlled substances, controlled substance paraphernalia, and/or proceeds or payment related to the sale of controlled substances. I am seeking the issuance of a warrant to search this parcel, and the contents contained therein, for contraband and evidence of a crime, namely, possession and possession with the intent to distribute controlled substances, and use of the mails to commit a controlled substance felony, in violation of Title 21, United States Code, Sections 841(a)(1), and 843(b).

  
Matt Schmitz  
U.S. Postal Inspector

Subscribed and sworn to before me this 24 day of June, 2019.

  
The Honorable James R. Sichel  
United States Magistrate Judge  
Eastern District of Wisconsin